

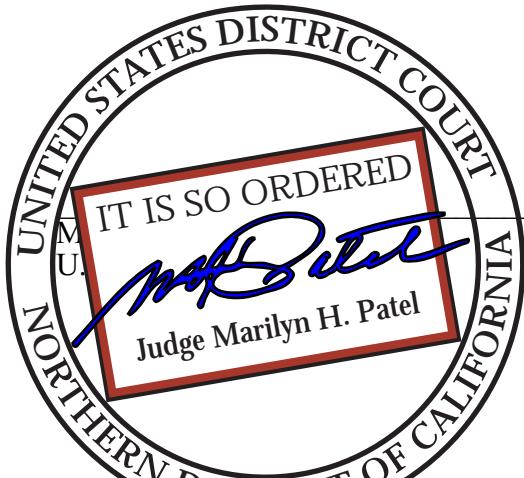
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA, ) No. CR.-06-0542-MHP  
12 Plaintiff, )  
13 vs. )  
14 DAVID SIMCHO, ) ORDER  
15 Defendant. )

17 This matter came on for status and trial setting on April 23, 2007. Upon defendant's request the  
18 matter is continued to June 11, 2007 at 10:00 a.m. for status and trial setting. The government and  
19 defendant and his counsel (Thomas Kidwell) have agreed that the period from April 23, 2007 to June 11,  
20 2007 shall be excluded under the Speedy Trial Act in the interest of justice pursuant to Title 18 U.S.C  
21 Sections 3161(h)(8)(A), (B)(ii), and (B)(iv). The Court agrees and finds that the ends of justice served  
22 by excluding the above period outweigh the best interests of the public and the defendant in a speedy  
23 trial, because the defendant has entitled a reasonable time to obtain new counsel after the Court  
24 disqualified Joe Izen from representing the defendant.

25 IT IS SO ORDERED.

27 Dated: April 24, 2007



1 **CERTIFICATE OF SERVICE**

2 I, **KATHY TAT** declare:

3 That I am a citizen of the United States of America and employed in San Francisco County,  
4 California; that my business address is Office of United States Attorney, 450 Golden Gate Avenue, Box  
5 36055, San Francisco, California 94102; that I am over the age of eighteen years, and am not a party to  
6 the above-entitled action.

7 I am employed by the United States Attorney for the Northern District of California and  
8 discretion to be competent to serve papers. The undersigned further certifies that I caused a copy of the  
9 following:

10 to be served this date upon the party(ies) in this action by placing a true copy thereof in a sealed  
11 envelope, and served as follows:

12  **FIRST CLASS MAIL** by placing such envelope(s) with postage thereon fully prepaid in the  
13 designated area for outgoing U.S. mail in accordance with this office's practice.

14  **PERSONAL SERVICE (BY MESSENGER/HAND DELIVERED)**

15  **FACSIMILE (FAX) No.:** \_\_\_\_\_

16 to the parties addressed as follows:

17 Thomas Breen Kidwell  
18 2166 The Alameda, Suite 110  
19 San Jose, CA 95126-1144

20 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
21 and correct.

22 Executed on **April 23, 2007** at San Francisco, California.

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 /s/ Kathy Tat  
27 **KATHY TAT**  
28 **Legal Assistant** 

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